REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	14 April 1999
Name of applicant/court:	The District Court at Waitakere
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	6yr0006.jpg
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Stated
Language:	Not Applicable

Components of film originally examined: Not Applicable.

Feature: Running time:

Trailers: Running time:

Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable.

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Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

Direction to issue a label has been given on: Not Applicable.

SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *6yr0006.jpg* is classified as:
Objectionable.

The publication is a black and white photographic image. The image is small and some details are difficult to make out. It depicts the naked body (minus the head) of a pre-pubescent girl. The girl's legs are parted to clearly reveal her genital region, which is the focal point of the image. The girl appears to be holding an object to, or inserting an object into, her vagina. Another object beside the girl's foot is possibly a dildo.

The publication promotes and supports the exploitation of children for sexual purposes. Its focus on the child's genital region indicates the intent of the photograph is to sexually arouse the viewer. The fact that the child appears to be depicted engaging in sexual activity increases the exploitative nature of the image, being intended to indicate to the viewer that the child is sexually aware, and that her sexuality is a suitable subject for adult sexual arousal.

Because it promotes and supports the exploitation of childen for sexual purposes, the publication is deemed to be objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993. Section 3(2) deeming provisions are inconsistent with and override the rights to freedom of expression set out in s14 of the New Zealand Bill of Rights Act 1990.

OFLC Ref: 9900156